

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

UH RAINBOW BABIES & CHILDREN'S HOSPITAL
and UH CLEVELAND MEDICAL CENTER,

Plaintiffs,

Case No. _____

v.

THE LOOMIS COMPANY
and JOHN DOE BENEFIT PLAN,

Defendants.

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that Defendant The Loomis Company (the "Removing Defendant"), by and through undersigned counsel, and pursuant to 28 U.S.C. § 1332, § 1441 and § 1446, hereby remove this case to the United States District Court for the Northern District of Ohio. In support of removal, the Defendant states the following:

The State Court Action

1. On January 9, 2019, the Plaintiffs UH Rainbow Babies & Children's Hospital and UH Cleveland Medical Center filed a civil action against the Removing Defendant in the Court of Common Pleas for Cuyahoga County, Case No. CV 19 909373 (the "State Court Action"). The Plaintiffs bring six claims against the Removing Defendant for alleged breach of an insurance contract and the failure to pay alleged insurance claims. A copy of all process and pleadings received by the Removing Defendant is attached as **Exhibit A**.

Federal Jurisdiction

2. The Court has original jurisdiction over this matter pursuant to 28 U.S.C. § 1332.

3. Plaintiff UH Rainbow Babies & Children's Hospital is a non-profit organized under the laws of Ohio, with a principal place of business in Ohio.

4. Plaintiff UH Cleveland Medical Center is a non-profit organized under the laws of Ohio, with a principal place of business in Ohio.

5. The Removing Defendant is a Pennsylvania corporation, with a principal place of business in Pennsylvania.

6. Upon information and belief, the Defendant identified as "John Doe Employee Benefit Plan," is not a resident of Ohio.

7. In the State Court Action, Plaintiffs seek a "judgment against Defendants, both jointly and severly [sic], in the amount of \$2,252,352.01 together with interest . . . and costs." (Ex. A, Compl. at 14). Thus, based on the allegations in the State Court Action, the amount in controversy exceeds \$75,000.

8. The Removing Defendant, pursuant to 28 U.S.C. § 1446, will file a copy of this Notice of Removal with the Clerk of Court for the Court of Common Pleas for Cuyahoga County and will serve the Plaintiffs as required by the removal statute.

9. The Removing Defendant further reserves its rights and defenses under Fed. R. Civ. P. 12 and timely will respond to the complaint in accordance with Fed. R. Civ. P. 81.

Dated this 7th day of February, 2019.

Respectfully submitted,

/s/ William W. Jacobs

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*Attorneys for Defendant The Loomis
Company*

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of February, 2019, I served the foregoing Notice of Filing of the Notice of Removal on the following parties by e-mail and first-class United States mail, postage pre-paid:

Plaintiffs UH Rainbow Babies & Children's Hospital and
UH Cleveland Medical Center
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/s/ William W. Jacobs
William W. Jacobs
*Attorney for Defendant The Loomis
Company*